

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL CASE NO. 3:21-cv-00068-MR**

<b>EDWARD WOODIE, et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>GARY MCFADDEN, et al.,</b>	)	<b><u>ORDER</u></b>
	)	
<b>Defendants.</b>	)	
<hr style="width:45%; margin-left:0"/>	)	

**THIS MATTER** is before the Court *sua sponte*.

The *pro se* incarcerated Plaintiffs filed this action pursuant to 42 U.S.C. § 1983 addressing incidents that allegedly occurred at the Mecklenburg County Jail. [Doc. 1]. On May 3 and May 24, 2021, the Court issued Orders noting that Plaintiffs Michael Wayne Adams, Jr. and Joseph Soldano are no longer incarcerated at the Mecklenburg County Jail, failed to update the Court with their current address, and appear to have abandoned this action. [Docs. 33, 34]. The Court granted these Plaintiffs 10 days in which to update their addresses of record and inform the Court whether they intend to proceed with this action. [Id.]. They was cautioned that the failure to do so would result in this case's dismissal and closure without further notice as to them. [Id.].


Plaintiffs Adams and Soldano have failed to update their addresses with the Court, and the time to do so has expired. As such, Plaintiffs Adams and Soldano appear to have abandoned this action. This case will therefore be dismissed without prejudice as to Plaintiffs Adams and Soldano. See Fed. R. Civ. P. 41(b) (“If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it.”); Link v. Wabash R.R. Co., 370 U.S. 626, 630-33 (1962) (although Rule 41(b) does not expressly provide for *sua sponte* dismissal, Rule 41(b) does not imply any such restriction and a court has the inherent power to dismiss a case for lack of prosecution or violation of a court order).

**IT IS, THEREFORE, ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** as to Plaintiffs Adams and Soldano.

The Clerk of Court is directed to terminate Michael Wayne Adams, Jr. and Joseph Soldano as Plaintiffs in this case.

**IT IS SO ORDERED.**

Signed: June 15, 2021

  
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Martin Reidinger  
Chief United States District Judge

